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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/309,372
Filing Date	May 11, 1999
First Named Inventor	Lassesen
Art Unit	2176
Examiner Name	Nguyen, Maikhanh
Total Number of Pages in This Submission	
Attorney Docket Number	03797.77742

ENCLOSURES ***(check all that apply)***

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) ____
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ Appeal Communication to Group **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:
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Remarks

The Commissioner is hereby authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733.

Express Mail No. EL 995822825 US

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William J. Klein, Reg. No. 43,719
Signature	William J. Klein Reg. No. 43,168
Date	October 15, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Signature		Date	

PTO/SB/17 (10-04v2)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 340

Complete if Known	
Application Number	09/309,372
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Art Unit	2176
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METHOD OF PAYMENT *(check all that apply)*

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 19-0733

Deposit Account Name: Banner & Witcoff, LTD.

The Director is authorized to: *(check all that apply)*
☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
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FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filling fee	

SUBTOTAL (1) ($) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below		Fee Paid
Total Claims		-20 **	= 0	X		=	0
Independent Claims		-3 **	= 0	X		=	0
Multiple Dependent				X		=	0

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($) 0

***or number previously paid, if greater; For Reissues, see above*

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	340
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,370	2453	685	Petition to revive – unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($) 340

SUBMITTED BY					Complete *(if applicable)*
Name (Print/Type)	William J. Klein	*Registration No. (Attorney/Agent)*	43,719	*Telephone*	312-463-5000
Signature	William J. Klein by R.N. (32,168)			*Date*	October 15, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:		Atty. Docket No.:	03797.77742
Kenneth M. Lassesen			
Serial No.:	09/309,372	Group Art Unit:	2176
Filed:	May 11, 1999	Examiner:	Nguyen, Maikhanh
For:	Client side localizations on the World Wide Web	Confirmation No.:	7410

BRIEF ON APPEAL

Mail Stop: Appeal Brief-Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is an Appeal Brief in accordance with 37 C.F.R. § 1.192, filed in triplicate in support of applicant's August 27, 2004, Notice of Appeal. Appeal is taken from the Final Office Action mailed May 25, 2004, and the Advisory Action mailed August 13, 2004. Please charge any necessary fees in connection with this Appeal Brief to our Deposit Account No. 19-0733.

I. REAL PARTY IN INTEREST

The owner of this application, and the real party in interest, is Microsoft Corporation.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals and interferences.

III. STATUS OF CLAIMS

Claims 1-14 are rejected. All of the pending claims, claims 1-14, are shown in the attached appendix.

Claims 1-14 stand rejected under 35 USC 102(e) as being anticipated by Heiny (U.S. Patent 5,778,356).

Applicant hereby appeals the rejections of claims 1-14.

IV. STATUS OF AMENDMENTS

There are no amendments subsequent to the final Office Action dated May 25, 2004, and all prior amendments have been entered.

V. SUMMARY OF INVENTION

In making reference herein to various portions of the specification and drawings in order to explain the claimed invention (as required by 37 C.F.R. § 1.192(c)(5)), Applicant does not intend to limit the claims; all references to the specification and drawings are illustrative unless otherwise explicitly stated.

Embodiments of the invention are directed to enabling multiple, concurrent, language translation (*i.e.* localization) of Web pages within a Web browser. Users may translate prepared pages into the languages of their choice (including double byte character sets) without requiring additional transmissions across a network. In addition, embodiments of the

invention obviate the current practice of site owners producing separate Web pages for each language to be supported. (Page 4, lines 15-21).

According to embodiments of the invention, a client downloads from a server translations for various phrases contained in a Web page. The downloaded phrases may be transferred from the server to the client in the form of a data structure. The data structure may be in an included file or provided by some other mechanism. Embodiments of the invention support dynamic changing of languages and the concurrent display of multiple languages. Phrases may contain display information (*e.g.* HTML tags) including localized graphics and media files. (Page 4, line 22, through page 5, line 6).

Once the phrase translations have been downloaded from a server to the client, a Web browser may replace phrases in the Web document with their corresponding phrase translations. The resulting Web document is then displayed by the Web browser. (Page 5, lines 7-10).

Using unique phrase identifiers within the document, existing phrases in the document are replaced with their respective translations—if translations are available. If a translation for a particular phrase is not available, then the original text for that phrase will be maintained and displayed in the Web browser. (Page 10, lines 12-28).

Placing various localized phrases (*i.e.* translations) into a single include-file results in a single file download that may be used by various pages on a Web site without new downloads unless the translation-text changes. This may result in smaller file downloads for dynamic

pages where the data changes but the text remains the same (since the text for the localization file may be cached by the browser). (Page 11, line 32, through page 12, line 2).

VI. ISSUES

1) Whether U.S. Patent 5,778,356 to Heiny discloses receiving an electronic file at a user's computer, wherein the electronic file's content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages.

2) Whether U.S. Patent 5,778,356 to Heiny discloses: (1) assigning to at least one word in an electronic file a plurality of identifiers, wherein each identifier corresponds to one of a plurality of respective translations in the electronic file for at least one word; and (2) using an identifier from the plurality of identifiers, wherein the identifier corresponds to a language selected by the user, to obtain, from the respective translations in the electronic file, a translation, in the language selected by the user, for said at least one word.

3) Whether U.S. Patent 5,778,356 to Heiny discloses assigning to a plurality of words in a document a plurality of identifiers, wherein each identifier corresponds to a respective one of a plurality of translations for said plurality of words and performing the following two steps at a receiving computer: (1) using an identifier from the plurality of identifiers to select a translation from the plurality of translations for said plurality of words, based upon a language

selected by the client, and (2) replacing the plurality of words in the document by inserting into the document the selected plurality of respective translations for the plurality of words.

VII. GROUPING OF CLAIMS

In accordance with 37 C.F.R. § 1.192(c)(7), Appellant respectfully asserts that the claims do not stand or fall together. The following groups of separately patentable claims should be recognized:

GROUP I -- Claims 1-5;

GROUP II -- Claims 6-13; and

GROUP III -- Claim 14.

VIII. ARGUMENT

A. Heiny does not disclose receiving an electronic file at a user's computer, wherein the electronic file's content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages.

1. Heiny teaches server-side localization (i.e., language translation), not client-side localization of knowledge-base data.

Claim 1 recites a computer-readable medium having computer-executable instructions for performing steps comprising: allowing a user to select a language in which at least a portion of an electronic file is to be displayed; receiving the electronic file at the user's computer, wherein the electronic file's content includes a first plurality of phrases, wherein

each phrase of the first plurality of phrases is expressed in a plurality of languages; at the user's computer, selecting, for display to the user, from the first plurality of phrases, a second plurality of phrases that are expressed in the language selected by the user; and displaying to the user the second plurality of phrases that are expressed in the language selected by the user.

In contrast to the invention as recited in claim 1, Heiny discloses a client-server system in which a server computer performs server-side translation of knowledge-base data before sending the data to a user's client computer for display to the user. Heiny discloses a database management system that allows various users to simultaneously access data in a knowledge base in different languages. (Col. 2, lines 62-65). The system provides users with remote access to a knowledge-base server over a network such as the Internet using executable content in a Java enabled client based HTML interpreter or browser application. (Col. 3, lines 9-14). The server 132 (Figure 4 and col. 8, lines 6-9) uses data structures with pointers and language handles to access knowledge-base information in a language specified by the user. The server then provides the information to the user's client computer for display to the user. Accordingly, Heiny teaches server-side localization (i.e., language translation), not client-side localization of knowledge-base data.

Heiny does not disclose receiving an electronic file at the user's computer, wherein the electronic file's content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages. With the exception of initially displaying the names of various languages in each respective language, such as "English,"

"Duetsch," and "Espanol," Heiny teaches transmission of knowledge-base data expressed in a single user-selected language at any particular time. Heiny does not teach or suggest transmission from a server to a client of a single electronic file containing a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages.

Unlike Heiny's disclosure, the invention of claim 1 is directed to an electronic file's content including a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages. For instance, referring to page 12, lines 26-29, of this application (i.e., application serial no. 09/309,372), an example of a phrase that is expressed in a plurality of languages is provided as follows:

l1[1]='Client Side Example'

l2[1]='Example Lateral De Client'

l3[1]='Ejemplo Lateral Del Cliente'

l4[1]='Klient Seitleiches Beispiel'

Heiny does not disclose an electronic file received at the user's computer, wherein the electronic file's content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages. On page 3, the final office action mailed May 25, 2004, states that Heiny discloses that each phrase of a plurality of phrases is expressed in a plurality of languages and provides the following example:

> the character string corresponding to the native expression of the name of each language in its own language will be retrieved from each language object's

> name list. Thus, if the languages of English, German and Spanish were available, the user would be presented with the choice to select: "English," "Deutsh," or "Espanol."; col. 13, line 58 – col. 14, line 2.

The example quoted above from page 3 of the office action involves a plurality of language names. Each language name is expressed in a single language. Each language name is not expressed in multiple languages. Heiny, therefore, does not disclose expressing in a plurality of languages each phrase of a plurality of phrases in an electronic file received at a user's computer.

> 2. Heiny also does not disclose selecting, for display to the user, from the first plurality of phrases, a second plurality of phrases that are expressed in the language selected by the user.

As previously discussed, Heiny teaches server-side localization (i.e., language translation), not client-side localization of data. And as previously discussed, Heiny does not teach or suggest receiving an electronic file at the user's computer, wherein the electronic file's content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages. Consequently, Heiny also does not teach or suggest selecting a second plurality of phrases from such a first plurality of phrases. Instead, as previously discussed, Heiny teaches server-side localization (i.e., language translation) of data.

3. The invention as recited in claim 1 provides significant advantages over the prior art of record.

The invention as recited in claim 1 allows a user to select a language in which at least a portion of an electronic file should be displayed to the user, without requiring any additional downloads of any additional electronic files. In this way, separate electronic files that are stored at separate locations are not needed thereby reducing the amount of data that needs to be stored and the amount of network traffic needed for displaying the electronic document in a language selected by the user.

4. Heiny fails to establish prima facie anticipation of the invention of claims 1-5.

Heiny fails to establish prima facie anticipation of the invention of claim 1 because Heiny fails to disclose: (1) receiving an electronic file at the user's computer, wherein the electronic file's content includes a plurality of phrases, wherein each phrase of the plurality of phrases is expressed in a plurality of languages; and (2) at the user's computer, selecting, for display to the user, from the first plurality of phrases, a second plurality of phrases that are expressed in the language selected by the user, as recited in claim 1.

Claims 2-5 properly depend upon claim 1. Therefore, claims 2-5 are in condition for allowance for at least the reasons discussed above in connection with claim 1.

B. Heiny does not disclose: (1) assigning to at least one word in an electronic file a plurality of identifiers, wherein each identifier corresponds to one of a plurality of respective translations in the electronic file for at least one word; and (2) using an identifier from the plurality of identifiers, wherein the identifier corresponds to a

language selected by the user, to obtain, from the respective translations in the electronic file, a translation, in the language selected by the user, for said at least one word.

Claim 6 recites a method of providing an electronic file to a user comprising the steps of: assigning to at least one word in the electronic file a plurality of identifiers, wherein each identifier corresponds to one of a plurality of respective translations in the electronic file for said at least one word; allowing the user to select a language in which at least a portion of the electronic file is to be displayed; using an identifier from the plurality of identifiers, wherein the identifier corresponds to the language selected by the user, to obtain, from the respective translations in the electronic file, a translation, in the language selected by the user, for said at least one word; inserting the translation obtained from the electronic file into a translated electronic file; and displaying the translated electronic file to the user.

In contrast to the invention as recited in claim 6, Heiny discloses server-side localization (i.e., language translation) of knowledge-base data, which is sent to a user's client computer for display to the user. Heiny, therefore, does not disclose assigning to at least one word in the electronic file a plurality of identifiers, wherein each identifier corresponds to one of a plurality of respective translations in the electronic file for said at least one word. As mentioned above, Heiny teaches server-side localization of knowledge-base data. Accordingly, Heiny also does not disclose using an identifier from the plurality of identifiers, wherein the identifier corresponds to the language selected by the user, to obtain, from the respective translations in the electronic file, a translation, in the language selected by the user,

for said at least one word. For at least these reasons, Heiny fails to establish prima facie anticipation of the invention of claim 6.

Claims 7-13 properly depend upon claim 6. Therefore, claims 7-13 are in condition for allowance for at least the reasons discussed above in connection with claims 6.

C. Heiny does not disclose assigning to a plurality of words in a document a plurality of identifiers, wherein each identifier corresponds to a respective one of a plurality of translations for said plurality of words and performing the following two steps at a receiving computer: (1) using an identifier from the plurality of identifiers to select a translation from the plurality of translations for said plurality of words, based upon a language selected by the client, and (2) replacing the plurality of words in the document by inserting into the document the selected plurality of respective translations for the plurality of words.

Claim 14 recites a method of displaying at least a portion of a document in a language selected by a user, said method comprising the steps of: assigning to a plurality of words in the document a plurality of identifiers, wherein each identifier corresponds to a respective one of a plurality of translations for said plurality of words; and at a receiving computer: (1) receiving the document from a sending computer, (2) allowing a user to select a language in which the document is to be displayed, (3) using an identifier from the plurality of identifiers to select a translation from the plurality of translations for said plurality of words, based upon the language selected by the client, (4) replacing the plurality of words in the document by inserting into the document the selected plurality of respective translations for the plurality of words, and (5) displaying the document to the user.

In contrast to the invention as recited in claim 14, Heiny discloses server-side localization (i.e., language translation) of knowledge-base data, which is sent to a user's client computer for display to the user. Heiny, therefore, does not disclose assigning to a plurality of words in the document a plurality of identifiers, wherein each identifier corresponds to a respective one of a plurality of translations for said plurality of words. As mentioned above, Heiny teaches server-side localization of knowledge-base data. Accordingly, Heiny also does not disclose performing the following two steps at the receiving computer: (1) using an identifier from the plurality of identifiers to select a translation from the plurality of translations for said plurality of words, based upon the language selected by the client, and (2) replacing the plurality of words in the document by inserting into the document the selected plurality of respective translations for the plurality of words. For at least these reasons, Heiny fails to establish prima facie anticipation of the invention of claim 14.

IX. CONCLUSION

For all of the foregoing reasons, Applicant respectfully submits that the final rejection of claims 1-14 is improper and should be reversed.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 15, 2004

By: /William J. Klein by [illegible]
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APPENDIX

CLAIMS INVOLVED IN THE APPEAL

1. A computer-readable medium having computer-executable instructions for performing steps comprising:

allowing a user to select a language in which at least a portion of an electronic file is to be displayed;

receiving the electronic file at the user's computer, wherein the electronic file's content includes a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages;

at the user's computer, selecting, for display to the user, from the first plurality of phrases, a second plurality of phrases that are expressed in the language selected by the user; and

displaying to the user the second plurality of phrases that are expressed in the language selected by the user.

2. The computer-readable medium of claim 1 wherein the electronic file is received at the user's computer via the Internet.

3. The computer-readable medium of claim 1 wherein the electronic file is an HTML document.

4. The computer-readable medium of claim 3 wherein a Web browser displays the HTML document to the user.

5. The computer-readable medium of claim 4 wherein the Web browser translates at least a portion of the HTML document into the language selected by the user.

6. A method of providing an electronic file to a user comprising the steps of:

assigning to at least one word in the electronic file a plurality of identifiers, wherein each identifier corresponds to one of a plurality of respective translations in the electronic file for said at least one word;

allowing the user to select a language in which at least a portion of the electronic file is to be displayed;

using an identifier from the plurality of identifiers, wherein the identifier corresponds to the language selected by the user, to obtain, from the respective translations in the electronic file, a translation, in the language selected by the user, for said at least one word;

inserting the translation obtained from the electronic file into a translated electronic file; and

displaying the translated electronic file to the user.

7. The method of claim 6 wherein the electronic file is an HTML document.

8. The method of claim 7 wherein the translation for said at least one word is stored in a data structure on a server.

9. The method of claim 8 wherein the data structure is an array.

10. The method of claim 9 wherein the translated HTML document is displayed by a Web browser.

11. The method of claim 10 wherein the translated HTML document is provided to the user via the Internet.

12. The method of claim 7 wherein a plurality of words in the HTML document are assigned a plurality of identifiers that correspond to said translation.

13. The method of claim 7 wherein a plurality of phrases in the HTML document are assigned a plurality of identifiers that correspond to said translation.

14. A method of displaying at least a portion of a document in a language selected by a user, said method comprising the steps of:

assigning to a plurality of words in the document a plurality of identifiers, wherein each identifier corresponds to a respective one of a plurality of translations for said plurality of words; and

at a receiving computer:

receiving the document from a sending computer,

allowing a user to select a language in which the document is to be displayed,

using an identifier from the plurality of identifiers to select a translation from the plurality of translations for said plurality of words, based upon the language selected by the client,

replacing the plurality of words in the document by inserting into the document the selected plurality of respective translations for the plurality of words, and

displaying the document to the user.

CERTIFICATE OF EXPRESS MAIL
(PATENT)

Attorney Docket No. 03797.77742
Confirmation No. 7410

Express Mail No. EL 995822825 US
Deposited October 15, 2004

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By: _____

Lassesen, et al., U.S. Patent Application No. 09/309,372 for "Client side localizations on the World Wide Web"

- Transmittal Form
- Fee Transmittal (in duplicate)
- Appeal Brief (17 pages) (in triplicate)
- Return Receipt Postcard

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